

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD
ON WEDNESDAY JULY 15, 2015 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

COUNCILORS: Tonita Gurule-Giroñ
Vincent Howell
David L. Romero
Joey Herrera

ALSO PRESENT: Elmer J. Martinez - City Manager
Casandra Fresquez - City Clerk
Dave Romero - City Attorney
Juan Montano – Sergeant at Arms

CALL TO ORDER

Mayor Ortiz, Jr. called the meeting to order at 6:05 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz, Jr. asked for a moment of silence in appreciation to the many people who render service to our country such as Veterans, Police Officers and members of the Fire Department and also to appreciate citizens who provide service to their communities.

APPROVAL OF AGENDA

Councilor Gurule-Giroñ made a motion to approve the agenda as is. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Mayor Ortiz, Jr. stated for the record that it is an understood agreement of the Governing Body that discussion is not excluded at any time if questions should arise.

APPROVAL OF MINUTES

Councilor Howell made a motion to approve the minutes for June 16th and June 24th, 2015. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Vincent Howell	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Ortiz, Jr. took the opportunity to remind everyone of the September 2015 Municipal League Annual Conference and that a Voting Delegate and Alternate would need to be selected.

Councilor Gurule-Giroń commended the act of bringing the vote to an open meeting and advised that she had no problem to designate Mayor Ortiz, Jr. as the Voting Delegate.

Councilor Herrera made a recommendation to appoint Councilor Gurule-Giroń as the Alternate due to the fact that she was Mayor Pro Temp.

There were no objections from the Governing Body to appoint Mayor Ortiz, Jr. as Voting Delegate and Councilor Gurule-Giroń as the Alternate.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

City Manager Martinez advised that Mr. Christian Montano (Magistrate Judge) would be recognized for his years of service in the City of Las Vegas Police Department.

Judge Christian Montano took the opportunity to introduce and thank his family and friends for their support.

Mayor Ortiz, Jr. expressed his gratitude on behalf of the Governing Body and himself and presented a plaque to Judge Christian Montano for his 22 years of dedicated service to the City of Las Vegas.

Judge Montano acknowledged what an honor it was to serve the City of Las Vegas and thanked Mayor and Council for the opportunity to do so and added that he was proud to have been a part of such a reputable department.

Judge Montano stated that through his career at City of Las Vegas he was never approached by any member of the Governing Body or City Manager to perform anything that was unethical or illegal and quoted Albert Einstein "Strive not for success but rather, be a value". Judge Montano added that he had hoped he had been a value and would try and continue to be a value.

PUBLIC INPUT

None at this time.

Mayor Ortiz, Jr. stated for the record that the thoughts and concerns of Mr. Bob Wessely and Mr. Bruce McAllister would be missed under Public Input.

CITY MANAGER'S REPORT

City Manager Martinez advised there would be a City Council Meeting held on July 29th for the Final Budget approval.

Finance Director Ann Marie Gallegos informed Mayor and Council that the Finance Department is working diligently to finalize the Final Budget report for review on July 29th.

Mayor Ortiz, Jr. asked Finance Director Gallegos what the City was proposing in terms of revenue for the 2016 Budget.

Finance Director Gallegos advised that the city has proposed expenditures of at least 55 to 58 million dollars for this year and that it was looking like a positive outcome for the year. Finance Director Gallegos advised that the main concern is with the Recreation Center and informed that they would be meeting with engineers to start the project as soon as possible.

Mayor Ortiz, Jr. was pleased with the effectiveness of what the city has done with the limited General funds of 12 to 15 million dollars that are used for the many services within the City of Las Vegas.

Councilor Gurule-Giron requested that Finance Director Gallegos provide a debt service schedule at the July 29th meeting.

Finance Director Gallegos clarified that a debt service schedule along with complete set of budget documents would be provided on the Friday before the meeting with ample time to review the information.

City Manager Martinez advised that a contract submitted by San Miguel County previously approved by Council in June regarding Inmate Confinement would be brought back for approval from Council due to the San Miguel Commission not approving it.

City Manager Martinez added that some changes had been made regarding medical care and a few other items and advised that he would review the contract along with Police Department staff to review and discuss before accepting the proposed contract.

Brief Discussion took place of additional fees regarding Inmate Confinement services.

City Manager Martinez clarified that preliminary discussion would take place with Chief of Police and the Judge regarding the proposed contract before bringing a final contract to Council.

Councilor Herrera stated that he was not certain of total dollar amounts of the county's budget but thought that the majority of the San Miguel Detention Center's budget came from fees collected by the City of Las Vegas and added that

San Miguel County should want to work together with the City of Las Vegas instead of not following through with the contract which was already approved.

City Manager Martinez advised that Finance Director Gallegos had already initiated that research and it would be included with the analysis and added that he would be meeting with several Department Heads to go over the information.

Councilor Gurule-Giroń had a concern regarding late payments to the County for Inmate Confinement and asked if the city was currently up to date on payments.

City Manager Martinez advised that the issues were addressed to Municipal Court and informed that they had been taken care of.

Finance Director Gallegos explained that the City of Las Vegas received the billing from the County and then sent to Municipal Court which would then be reviewed and billed correctly and accordingly with the inmates that were affiliated with the City of Las Vegas. Finance Director Gallegos advised that issues had been addressed and that the City was caught up on payments.

Discussion took place of the several concerns with the changes regarding contract with the county.

BUSINESS ITEMS

1. Approval/Disapproval of International Association of Fire Fighters (IAFF) Local 4625 Agreement.

City of Las Vegas Chief Negotiator Victoria Lovato advised that Local 4625, International Association of Fire Fighter (I.A.F.F) had ratified and approved a Collective Bargaining Agreement between the City of Las Vegas and the Las Vegas NM Professional Fire fighter Association and added that negotiations had opened in mid June and that the only article on the table was compensation. Ms. Lovato informed that they had reached an agreement of a fifty (50) cent increase to each bargaining employee's hourly rate of pay.

City Manager Martinez thanked the negotiation team for their efforts in coming to a respectful decision to the agreement of the hourly rate increase and recommended going forward with the agreement.

Mayor Ortiz, Jr. was also in favor of the hourly rate increase agreement.

Councilor Gurule-Giroñ commended City staff and the Fire Fighter Association for working together to come to a consensus.

Councilor Howell asked if the IAFF Management Team asked the Fire Department employees for a vote.

IAFF President Caleb Marquez explained that the agreement is put out for vote by union members only and subsequently the agreement is ratified. Mr. Marquez informed that all union members were in agreement with the increase.

Councilor Herrera made a motion to approve of the International Association of Fire Fighters (IAFF) Local 4625 Agreement. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
Joey Herrera	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

2. Approval/Disapproval to enter into agreement with Las Vegas/San Miguel Economic Development, Inc., a New Mexico non-profit corporation exempt under section 501© (6), for the period of July 1, 2015 thru June 30, 2016.

Community Development Director Lindsey Valdez advised that the Las Vegas/San Miguel Economic Development, Inc. (EDC) is designated as the advisory body for economic development, working in partnership with the City as provided in chapter 33 Economic Development Plan of the City of Las Vegas Code, formally Ordinance No. 01-19, adopted by the governing body of the City of Las Vegas on January 9, 2002. The EDC promotes Las Vegas as a desirable place to do business,

produce goods and services, educate our citizens and enjoy the quality of Las Vegas offers.

EDC Executive Director Bill Hendrickson informed Council that a Strategic Resource Plan for Economic Development in the City of Las Vegas and San Miguel County was provided to them for review.

Mr. Hendrickson gave a brief overview of several on-going projects regarding Professional Recruitment Opportunities which involve businesses wanting to come to New Mexico.

Mr. Hendrickson advised that under Recruitment/Site Visits the EDC had been working on a feasibility study for the company International Biomass Group which was interested in locating to Las Vegas and would potentially bring in about forty jobs to the area.

Mr. Hendrickson informed that the EDC was working collaboratively with entrepreneur Roy Montalban on an on-going project regarding an assisted living facility.

Mr. Hendrickson advised a business expansion project was in the works with Old Wood, LLC., and spoke of several other on-going projects being worked on which were with the renamed Gallinas River Parks, a multi-purpose arena, a Business Incubator for small businesses that would be based at New Mexico Highlands University and a community commercial kitchen which would be available for starting new businesses.

Mr. Hendrickson informed that the EDC had been working on all these projects since November and was excited for Las Vegas of the possibilities of several businesses coming to the area.

Councilor Howell had questions on the EDC working with the E.N. Program and asked if they had connected with the SPDC at Luna Community College.

Mr. Hendrickson advised that they would be working with the E.N. Program and verifying that services were not duplicated. Mr. Hendrickson stated that he had

not made contact with Mr. Bustos with the SPDC but added that their intentions were to incorporate any of the EDO's including the Chamber of Commerce.

Councilor Howell questioned if the EDC had received a response from the Luna Board regarding the proposal which was submitted on June 18th.

Mr. Hendrickson advised that the EDC had not received a written response from the Luna Board, that it had all been verbal and added that Luna provided a letter to New Mexico Highlands University requesting the equipment needed for the community commercial kitchen. Mr. Hendrickson informed that Luna was in favor of the proposal because it would benefit the Culinary Arts Program.

Councilor Gurule-Giroń had concerns regarding the lack of timelines on projects on the Strategic Plan and noted that a lot of the projects were on-going projects from the past.

Councilor Gurule-Giroń stated that she had seen duplication of efforts in the proposal that MainStreet was doing as well and advised that King's Stadium would serve as a multipurpose arena.

Councilor Gurule-Giroń noted that the Strategic Plan did not include a list of inputs and outputs regarding the projects.

Mr. Hendrickson explained that the projects are timely and are better known as processes.

Councilor Gurule-Giroń stated that the focus is retention and sustainability of current businesses and also the issue of focusing on small business growth and asked questions regarding tangible and intangible assets.

Mr. Hendrickson advised that most of the EDC's assets are intangible and stated that they collaborated with others on the River Project. Mr. Henderickson added that other nebulous projects need funding which is hard to come by.

Councilor Gurule-Giroń mentioned that the expansion and road development project at Dee Bibb Industrial Park and Old Wood was not included in the initial scope.

Mr. Hendrickson advised that the EDC had been in contact with the Bibb family regarding the purchase of the property.

Discussion took place regarding the Biomass Industry feasibility study needed, environmental impact and the size of facility needed for the project.

Councilor Gurule-Giroń asked what the projected timeline was for the completion of the biomass wood project.

Mr. Hendrickson advised that it would be up to company to help determine the timeline after receiving the feasibility study.

Councilor Gurule-Giroń asked Mr. Hendrickson if he had tied in with the Las Vegas Community Development Department concerning the Strategic Resource Plan as well as the Activity Schedule Report.

Mr. Hendrickson advised that he had provided the information to Community Development Director Lindsey Valdez.

Brief discussion took place pertaining to the Comprehensive Master Plan.

Councilor Gurule-Giroń stated that she was grateful for the work that Mr. Hendrickson was doing but advised that she could not see an increase of \$15,000.00 for the project and added that she saw nothing tangible.

Councilor Gurule-Giroń added that there was no schedule of inputs or outputs, there were no timelines and that there was a tremendous amount of duplication of effort with other organizations but did not want to continue to increase a budget when nothing but paperwork had been presented.

Councilor Howell made a motion to approve to enter into agreement with Las Vegas/San Miguel Economic Development, Inc., a New Mexico non-profit corporation exempt under section 501 © (6), for the period of July 1, 2015 thru June 30, 2016.

Mayor Ortiz, Jr. advised that Councilor Howell moved to make a motion to approve an asked if there was a second motion.

There was not a second motion, therefore the motion died.

Councilor Herrera stated for the record that he had a page full of questions that he wanted answered before he could think of supporting the increase in funding.

Mayor Ortiz, Jr. stated that discussion would continue regarding the agreement and asked if there were any questions or comments.

Councilor Herrera advised Mr. Hendrickson that he had been in support of several projects he was working on but stated that some of the projects discussed reflected the Council meeting with Chamber of Commerce regarding cited project accomplishments such as with Old Wood and Farmer's Market and advised there was a lot of repetition.

Councilor Herrera advised that it is hard to justify a \$15,000.00 increase at this point without more accomplishments to report and added that he would hate to see giving funding to non profits when that would mean taking away funding from Youth employment and from other programs that needed the funding as well.

Councilor Herrera added that he had other concerns when it came to business successes at the Business Park regarding the GRT gain and that it would mainly benefit San Miguel County. Councilor Herrera asked what kind of funding the county was putting in to the EDC.

Mr. Hendrickson advised that the EDC was working on several other service programs along with Luna Community College, Workforce Solutions and Help New Mexico.

Discussion took place on several services offered by HELP New Mexico Programs.

Councilor Herrera expressed that he is seeing a lot of duplication of efforts and could not justify an increase at this time due money being so tight.

Community Development Director Valdez stated that the Community Development Department had recently been working on several contracts with EDC, MainStreet and the Chamber of Commerce and added that the focus was not to duplicate efforts.

Community Development Director Valdez commended these organizations for working in collaboration and praised Mr. Hendrickson for his accomplishments in moving the Las Vegas Business Hub forward in just the last six months and added that the need for the increase was to support the EDC in utilizing the business hub and to see it come to fruition.

Councilor Herrera expressed his thoughts on the effects the increase would take on other programs and suggested if the EDC had requested the same amount from before it would have been considered but was against approving the increase at this time.

Councilor Howell expressed his concerns on the importance of economic growth in the community and added that duplication of services took part in the past but the focus of the EDC and the Community Development was to work together and to ensure that there were no duplication services.

Councilor Howell spoke of how important it was to be positive towards the Economic Development Corporation, to make their goals and objectives realized for the betterment of the community and added how the economy would improve with the business growth in the community.

Councilor Howell felt the Governing Body should not stop economic growth and expressed that he was disappointed in the comments he had heard.

Mayor Ortiz, Jr. asked Councilor Romero if he had any comments on the issue.

Councilor Romero advised that he had no comment on the issue.

Mayor Ortiz, Jr. stated that he thought the City of Las Vegas had great potential in terms of business coming in and praised that the EDC for working closely with other entities and added that it is hard to entice large corporations in to a small community and such ventures are timely.

Councilor Gurule-Giroń made a motion to disapprove to enter into agreement with Las Vegas/San Miguel Economic Development, Inc., a New Mexico non-profit corporation exempt under section 501 © (6), for the period of July 1, 2015 thru June 30, 2016.

Councilor Gurule-Giroń also stated that this item was discussed at a Work Session and that it was made very clear to Mr. Martinez that they would not approve a \$15,000.00 increase and advised that it was on the record but stated that they changed the actual format to make it a quarterly bases of \$12,500.00 versus flat out \$50,000.00 contract which is consistent with the \$50,000.00 price.

Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	No	Tonita Gurule-Giroń	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

City Manager Martinez asked the Governing Body if there was any direction on bringing the contract back to Mayor and Council.

Councilor Gurule-Giroń advised that she recommended bringing the contract back with the changes and recommendations as discussed primarily on the actual budget and informed that Council did not have a problem. Councilor Gurule-Giroń added that she would like consensus from the Council with bringing the contract back consistent with \$35,000.00 contract which is fair to the other nonprofit organizations in the community.

Councilor Gurule-Giroń stated for the record that MainStreet was an outstanding program that does bring tangible assets and results to the table, not intangible.

Councilor Herrera stated for the record that the proper motion that should have been approved for bringing back the item was a continuance, instead of disapproving the contract, whereas; the continuance would give the opportunity to modify the contract and be brought back to Council and added that he should have been the one to make that recommendation.

Discussion took place regarding bringing the contract back with the changes as a different proposal at another time.

City Manager Martinez advised that the intent was to bring the Chamber of Commerce and MainStreet contracts on the 29th and that the EDC contract could be brought back then.

3. Conduct a Public Hearing and Approval/Disapproval of Ordinance 15-06 amending Chapter 242 Flood Hazard Prevention, Article IV Administration, Section 14(F) Duties and Responsibilities of Floodplain Administrator of the Las Vegas Code.

Councilor Gurule-Giroń made a motion to go into Public Hearing. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Joey Herrera	Yes
Tonita Gurule-Giroń	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney Dave Romero asked all who wished to speak on the issues to stand and be sworn in. Lindsey Valdez was sworn in.

Community Development Director Lindsey Valdez advised that on March 17, 2015, State Floodplain Coordinator, Mr. Bill Borthwick, conducted a Community Assistance Visit (CAV) in Las Vegas. The CAV included a review of Chapter 242 Floodplain Hazard Prevention of the Las Vegas Code. All articles meet or exceed the respective provisions of the National Flood Insurance Program Floodplain Management Regulations, Title 44 Code of Federal Regulation (CFR) Part 59 and 60, with the exception of §242-14 (F), which requires an update regarding notifications.

Councilor Herrera made a motion to accept the record proper and to close Public Hearing. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	Tonita Gurule-Grión	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroñ made a motion to reconvene to regular session. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroñ made a motion to approve Ordinance 15-06 amending Chapter 242 Flood Hazard Prevention, Article IV Administration, Section 14(F) Duties and Responsibilities of Floodplain Administrator of the Las Vegas Code. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

4. Conduct a Public Hearing and Approval/Disapproval of Ordinance 15-07, amending the code of the City of Las Vegas, Chapter 301 Nuisances. 301-2 Definitions and rules of construction and 301-6 Nuisance declared. Ordinance was published on June 29, 2015.

Councilor Gurule-Giroñ made a motion to go into Public Hearing. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroń	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney Dave Romero asked all who wished to speak on the issue to stand and be sworn in. Lindsey Valdez and Levy Lujan were sworn in.

Code Enforcement Officer Levy Lujan advised that the City municipal code Chapter 301, Nuisances, needs additional language for further clarification and to define dangerous/unsafe buildings or structures.

Councilor Gurule-Giroń asked for clarification of definition regarding a situation with weeds and rubble.

Code Enforcement Officer Lujan explained that that specific situation would be covered in all perspectives.

Councilor Romero had a concern regarding the abatement on a trailer at 1215 Pecos Street.

Code Enforcement Officer Lujan advised that the trailer on the Pecos Street property would be removed.

City Attorney Romero advised that in evaluating any abatement there are several situations to consider such as the owner being uncooperative with problem properties and limited budget, but would take the least inexpensive way to remove debris. City Attorney Romero added that situations such as dealing with asbestos and other toxic contaminants would require the city to consider the costs and decide whether the needs of the city outweighs the cost of removing the debris.

Mayor Ortiz, Jr. added that by passing this legislation it would make it easier to support the removal legally.

Councilor Gurule-Giroń had questions regarding abatement funds collected and if sales of properties would be publicized.

City Attorney Romero advised that funds recently recovered were \$9000.00 and placed in the abatement fund and added that they recovered at least two decisions from the court giving the city the right to sell properties and recover monies. City Attorney Romero informed that ten to fifteen properties were in place for abatement.

Brief discussion took place regarding the abatement process of the property on 1215 Pecos Street.

City Manager Martinez stated that discussion taking place was on a particular property but advised that in this case the question was how the ordinance might work.

City Manager Martinez clarified that the statute had been used in the past and advised it is being included in the ordinance so that the City Attorney could better handle a case referring back to the Ordinance and that it mirrored the language in the statute.

Mayor Ortiz, Jr. stated for the record that this ordinance was not being passed strictly to enforce one particular property but would pertain to any property with similar concerns or violations.

Councilor Gurule-Giroń made a motion to close Public Hearing and to accept the record proper. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Joey Herrera	Yes
Vincent Howell	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroń made a motion to reconvene into regular session. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
Joey Herrera	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Herrera made a motion to approve Ordinance 15-07, amending the Code of the City of Las Vegas, Chapter 301 Nuisance. 301-2 Definitions and rules of construction and 301-6 Nuisance declared. Councilor Gurule-Giroñ and Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Joey Herrera	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

5. Conduct a Public Hearing and Approval/Disapproval to Adopt Ordinance 15-09 amending Chapter 389 Taxation, Article I Lodgers Tax, Section 15 (A) Use of Monies of the Las Vegas Code.

Councilor Gurule-Giroñ made a motion to go into Public Hearing. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney Romero asked all who wish to speak on the issue to stand and be sworn in. Lindsey Valdez was sworn in.

Community Development Director Lindsey Valdez advised that Chapter 389 Taxation does not accurately reflect the minimum requirements for use of Lodgers Tax for the purpose of advertising, publicizing and promoting tourist-

related attractions, facilities and events. Ordinance was published on June 29, 2015.

Mayor Ortiz, Jr. asked Ms. Valdez to explain what the specific changes would be on the Lodgers Tax Ordinance.

Ms. Valdez advised that it was regarding the percentages of monies to be used for advertising and promotional purposes and also explained there was a misinterpretation of the requirements for Las Vegas not being a Class A County and it would clarify and make the ordinance consistent.

Councilor Herrera asked how it would impact the distribution of monies collected by Lodgers Tax.

Ms. Valdez advised that it would not make an impact on the distribution of monies or expenditures and added that the current code contradicts itself. Ms. Valdez explained that the minimum of 90 percent of Lodgers Tax Budget is spent on advertising and promotions and explained the requirements that the City of Las Vegas needed to abide by as a non Class A County.

Councilor Gurule-Giroń made a motion to close Public Hearing and accept record proper. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroń made a motion to reconvene into regular session. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Vincent Howell	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Herrera made a motion to approve to Adopt Ordinance 15-09 amending Chapter 389 Taxation, Article I Lodgers Tax, Section 15(A) Use of Monies of the Las Vegas Code. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Joey Herrera	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

6. Conduct a Public Hearing and Approval/Disapproval of Ordinance No. 15-08, amending the Code of the City of Las Vegas, Chapter 356, Entitled Smoking, to Specify Definitions.

Councilor Herrera made a motion to go into Public Hearing. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Joey Herrera	Yes
Tonita Gurule-Giroñ	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney Romero asked all who wished to speak on the issue to stand and be sworn in. Casandra Fresquez was sworn in.

City Clerk Casandra Fresquez advised that as discussed at a previous council meeting, it was determined that the current City code regarding smoking which identifies Smoking in City-owned Building, Facilities and Vehicles did not specifically include the prohibited use of e-cigarettes and therefore needed to be added into the definition. Ordinance was published on June 29, 2015.

Councilor Romero stated that he thought the change on the ordinance was a good idea.

Councilor Gurule-Giroñ made a motion to close Public Hearing and to accept the record proper. Councilor Herrera seconded the motion. Mayor Ortiz Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	Vincent Howell	Yes
Tonita Gurule-Giroñ	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroñ made a motion to reconvene into regular session. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroñ made a motion to approve Ordinance No. 15-08, amending the Code of the City of Las Vegas, Chapter 356, Entitled Smoking, to Specify Definitions. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Tonita Gurule-Giroñ	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

7. Approval/Disapproval of Resolution 15-23, Abatement of nuisances located at 1215 Pecos Street.

Code Enforcement Officer Levy Lujan advised that the property noted above has several nuisances on the property. The property owner is deceased and the property has not been cleaned or maintained for over a year. Request to grant abatement.

Code Enforcement Officer Lujan presented the Governing Body with pictures of the property and advised that he followed all required procedures regarding two 10-day red tagging of the property with the result of no compliance and found out that the owner, Jose Blanco was deceased.

Councilor Gurule-Giroń asked what steps were taken after once finding out that the property owner, Jose Blanco was deceased.

City Manager Martinez addressed the question stating that as a result of the Optic coverage, a realtor met with Mr. Lujan and informed that there may be some owners of the property, and advised that there is still no verification of who the property owner is.

City Manager Martinez recommended to move forward with the adoption of the resolution and added that the process with the media is working, giving the owner or anyone interested in the realty notification and the opportunity to clean up the property and added that the Ordinances gives the opportunity to extend time needed if there is expected compliance.

Councilor Gurule-Giroń asked how many additional days would be given to the heirs to come forward.

City Manager Martinez explained that the processes of posting and publishing, approval from Council of the Resolution would be needed and then they would go back and enter into an agreement that they meet compliance by a certain date.

City Manager Martinez stated that people need time and added that appealing would also be an option, which would give them more time and informed that the goal of the city was not to clean up the property, which would save the city money but that the main goal was to get the compliance from the community.

Community Development Director Valdez informed that Code Enforcement Officer Lujan would be presenting two more resolutions for different properties and advised that he had visited the two properties that same day and that there was still no compliance.

Councilor Herrera took the opportunity to remind the public that the duties of Code Enforcement are not to target anyone but that the interest is for all who are affected with hazards in neighboring yards and to make sure they are in compliance.

Councilor Herrera made a motion to approve Resolution 15-23, Abatement of nuisance located at 1215 Pecos Street. Councilor Romero seconded the motion.

Resolution 15-23 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION NO. 15-23**

A RESOLUTION DECLARING 1215 PECOS STREET WHICH IS OWNED AND CONTROLLED BY JOSE BLANCO TO BE DANGEROUS, COVERED WITH RUINS, RUBBISH, WRECKAGE AND DEBRIS AND A NUISANCE REQUIRING ABATEMENT

WHEREAS, pursuant to Section 3-18-5, NMSA, 1978, whenever any building or structure is ruined, or any premise is covered with ruins, rubbish wreckage or debris, the governing body of a municipality may by resolution find that the ruined, damaged and dilapidated building, structure or premises is a menace to the public comfort, health, peace or safety and require the removal from the municipality the building, structure, ruins, rubbish, wreckage or debris; and

WHEREAS, the Las Vegas City Council has received evidence from the Community Development Department/Code Enforcement as to the condition of a parcel of land described herein, which are owned, occupied or controlled by Jose Blanco, whose address is 1215 Pecos St., according to the records at the San Miguel County Assessor's Office and described in said records as "1500 Pablo Baca Subdivision Blk 21" (property code # 1-095-093-376-398-177

WHEREAS, the property is a public nuisance and the premises are a menace to the public comfort, health, peace or safety of the community and is in violation of City of Las Vegas Ordinance 301 Sections 6 Nuisance Declared; Littering (A); Unsanitary Premises (B); Hazardous Premises (C); Accumulation of Solid Waste (D). Items stored on the premises and visible from the public right of way in violations of City ordinances include but are not limited to papers, fiberglass, tin, Lowes basket, wood pellets, boards, plastic wraps, particle board, weeds, dead branches, and a burnt trailer. Walls on the trailer are deteriorated, collapsing and is in danger of falling unto city streets and neighbors properties.

WHEREAS, the City has posted 2 Certified Red Tags on the Property in plain view of the side walk notifying of the violation on the property. Certified mail was also sent out twice to the property owners noted above. Later findings stated he was deceased.

WHEREAS, proper notices served upon certified mail and on the property included: a Red Tag Notice of Violation on April 17, 2015; a Notice of Pending Abatement on April 27th, 2015. In the face of these notices, the nuisances remain and continue to pose a hazard to health, welfare, and safety of the public. Both Red Tags allowed for 10 days to correct the violations noted above.

NOW, THEREFORE, the City Council, the governing body of the City of Las Vegas, New Mexico does hereby resolve:

A. That the above described parcel of land is a nuisance pursuant to Section 3-18-5, NMSA, 1978, is a menace to the public comfort, health, peace or safety and requires abatement as follows: All trailers, wreckage, rubbish and debris as described above and any other materials in violation of the Ordinance described above shall be removed from the property and properly disposed of.

B. The City shall serve a copy of this resolution on the owner, occupant or agent, including Jose Blanco, in charge of the premises as shown by the records of the County Assessors. If the owner occupant or agent in charge of the building, structure or premises cannot be served within the municipality, a copy of the resolution shall be posted on the building, structure or premises and a copy of the resolution shall be published one time.

C. Thereafter, and within ten (10) days after receipt of a copy of this resolution or of the posting and publishing of a copy of the resolution, the owner occupant or agent, in charge of the building, structure or premises shall commence removing the ruins, rubbish, wreckage and debris or file a written objection with the Municipal Clerk asking for a hearing before the governing body of the City of Las Vegas. .

D. That if a written objection is filed, the Governing Body shall follow the provisions as set forth of 3-18-5 D. NMSA 1978; fix a date for a hearing in its resolution and objection; consider all evidence for and against the removal resolution at the hearing; and determine if its resolution should be enforced or rescinded.

E. Any person aggrieved by the determination of the governing body may appeal to the district court by: giving notice of appeal to the governing body within 5 days after the determination made by the governing body; filing a petition in the district court within twenty days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with its findings.

F. If the owner occupant or agent in charge of the building, structure or premises fails to commence removing the ruins, rubbish wreckage and debris as provided under NMSA 3-18-5 F, the municipality may remove ruins, rubbish wreckage and debris at the cost and expense of the owner. The reasonable cost of removal shall constitute a lien against the building, structure, ruins, rubbish wreckage and debris so removed and against the lots or parcels of land from which it was removed. The lien shall be foreclosed in the manner

provided in sections 3-36-1 through 3-36-6 NMSA 1978.

F. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

H. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____ 2015

Mayor Pro Temp Gurule-Giroń asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

8. Approval/Disapproval of Resolution No. 15-24 Abatement of Nuisances located at 915 Tilden.

Councilor Herrera advised that Business Item #8 was similar to previously discussed Business Item #7 with the same situations and added that if there were no objections he would like to make a motion to approve Resolution No. 15-24 Abatement of nuisances located at 915 Tilden.

City Attorney Romero yielded the motion and advised that a testimony still needed to be presented regarding the property, for the record.

Council Herrera stated that the motion would stand after the presentation.

Code Enforcement Officer Lujan advised that the property of 915 Tilden had several nuisances on the property and that both property owners are deceased and added that the property had not been cleaned or maintained for several years therefore they were requesting abatement and informed Council that the required procedures for notification of compliance were taken.

Councilor Herrera made a motion to approve Resolution No. 15-24 Abatement of nuisances located at 915 Tilden. Councilor Romero seconded the motion.

Resolution 15-24 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION NO. 15-24**

A RESOLUTION DECLARING 915 TILDEN AVENUE WHICH IS OWNED AND CONTROLLED BY ANTONIO AND TONI RIVERA TO BE DANGEROUS, COVERED WITH RUINS, RUBBISH, WRECKAGE AND DEBRIS AND A NUISANCE REQUIRING ABATEMENT

WHEREAS, pursuant to Section 3-18-5, NMSA, 1978, whenever any building or structure is ruined, or any premise is covered with ruins, rubbish wreckage or debris, the governing body of a municipality may by resolution find that the ruined, damaged and dilapidated building, structure or premises is a menace to the public comfort, health, peace or safety and require the removal from the municipality the building, structure, ruins, rubbish, wreckage or debris; and

WHEREAS, the Las Vegas City Council has received evidence from the Community Development Department/Code Enforcement as to the condition of a parcel of land described herein, which are owned, occupied or controlled by Antonio & Toni Rivera, whose address is 915 Tilden, according to the records at the San Miguel County Assessor's Office and described in said records as "1612 Rosenwald Tr 11 Blk 2" (property code # 1-095-092-133-436).

WHEREAS, the property is a public nuisance and the premises are a menace to the public comfort, health, peace or safety of the community and is in violation of City of Las Vegas Ordinance 301 Sections 6 Public Nuisance; Unsanitary Premises 301-6(B); Hazardous Premises 301-6(C); Accumulation of Solid Waste 301-6 (D); Most Items stored on the premises and visible from the public right of way in violations of City ordinances include but are not limited to weeds, Chinese elms, blinds, metal, wood pieces, cinder block, and vines .

WHEREAS, the City has posted 2 Certified Red Tags on the Property in plain view of the side walk notifying of the violation on the property. Certified mail was also sent out twice to the property owners noted above. Later findings stated both are deceased.

WHEREAS, proper notices served upon the property owner(s) included: a Red Tag Notice on April 21, 2015; a Notice of Pending Abatement on May 12;. In the face of these notices, the nuisances have remained and continue to current date.

WHEREAS, the City of Las Vegas City Council was presented with a petition signed by 17 citizens from Tilden Avenue and the immediate neighboring area expressing their concern to the governing body as to the debris, weeds, trees, and an un-safe environmental conditions and vacant structures owned by Antonio and Toni Rivera

NOW, THEREFORE, the City Council, the governing body of the City of Las Vegas, New Mexico does hereby resolve:

A. That the above described parcel of land is a nuisance pursuant to Section 3-18-5, NMSA, 1978, is a menace to the public comfort, health, peace or safety and requires abatement as follows: All weeds, brush, briars, metals, Chinese elms, must be removed and properly disposed of. The vacant, dilapidated buildings and their contents must be secured and the premises must be left in a clean, and safe condition, suitable for further occupancy or construction with all excavations filled.

B. the City shall serve a copy of this resolution on the owner, occupant or agent, including Antonio & Toni Rivera, in charge of the premises as shown by the records of the County Assessors. If the owner occupant or agent in charge of the building, structure or premises cannot be served within the municipality, a copy of the resolution shall be posted on the building, structure or premises and a copy of the resolution shall be published one time.

C. Thereafter, and within ten (10) days after receipt of a copy of this resolution or of the posting and publishing of a copy of the resolution, the owner occupant or agent, in charge of the building, structure or premises shall commence removing the ruins, rubbish, wreckage and debris or file a written objection with the Municipal Clerk asking for a hearing before the governing body of the City of Las Vegas. .

D. That if a written objection is filed, the Governing Body shall follow the provisions as set forth of 3-18-5 D. NMSA 1978; fix a date for a hearing in its resolution and objection; consider all evidence for and against the removal resolution at the hearing; and determine if its resolution should be enforced or rescinded.

E. Any person aggrieved by the determination of the governing body may appeal to the district court by: giving notice of appeal to the governing body within 5 days after the determination made by the governing body; filing a petition in the district court within twenty days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with its findings.

F. If the owner occupant or agent in charge of the building, structure or premises fails to commence removing the ruins, rubbish wreckage and debris as provided under NMSA 3-18-5 F, the municipality may remove ruins, rubbish wreckage and debris at the cost and expense of the owner. The reasonable cost of removal shall constitute a lien against the building, structure, ruins, rubbish wreckage and debris so removed and against the lots or parcels of land from which it was removed. The lien shall be foreclosed in the manner provided in sections 3-36-1 through 3-36-6 NMSA 1978.

F. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

H. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.

PASSED, APPROVED AND ADOPTED THIS _____ DAY OF _____ 2015

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Tonita Gurule-Giron	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

9. Approval/Disapproval of Resolution No. 15-25, Abatement of nuisance located at 710 Tilden.

Code Enforcement Officer Levy Lujan advised that the property noted above has several nuisances on the property. Both property owners have been sent red tags and both were returned. Red tags were also posted on the property in plain view of the sidewalk. No progress has been made on the property and the nuisance and hazards still exist.

Councilor Herrera had an indirect question regarding the overgrowth of weeds and trees in the alley and how the ordinance read as far as removing weeds and trees in the alley.

Code Enforcement Officer Lujan advised that Ordinance 377-28 reads that it is the responsibility of the adjacent property owner to maintain the adjacent right of way in the alleyway and added that $\frac{1}{2}$ the alleyway is the property owner's responsibility also pertaining to snow removal in the winter months.

Councilor Herrera asked Mr. Lujan if he knew of any assistance programs available to lower income families who could not afford the removal of weeds and trees.

Code Enforcement Officer Lujan advised that in the past there was assistance and added that as of right now there was no assistance available but informed he was working on that issue. Mr. Lujan informed Council that he was working with the

Business Licensing Department on a list to hand out of people who can be of assistance.

Councilors Gurule-Giroń asked how the problem regarding the removal of larger, older trees would be solved.

City Manager Martinez clarified that the removal of trees on private property is the sole responsibility of the property owner.

Councilor Herrera made a motion to approve Resolution 15-25, Abatement of nuisance located at 710 Tilden. Councilor Gurule-Giroń seconded the motion.

Resolution 15-25 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION NO. 15-25**

A RESOLUTION DECLARING 710 TILDEN AVENUE WHICH IS OWNED AND CONTROLLED BY DONALD & DAVIDA GARCIA TO BE DANGEROUS, COVERED WITH RUBBISH, WRECKAGE, WEEDS, AND DEBRIS AND A NUISANCE REQUIRING ABATEMENT

WHEREAS, pursuant to Section 3-18-5, NMSA, 1978, whenever any building or structure is ruined, or any premise is covered with ruins, rubbish wreckage or debris, the governing body of a municipality may by resolution find that the ruined, damaged and dilapidated building, structure or premises is a menace to the public comfort, health, peace or safety and require the removal from the municipality the building, structure, ruins, rubbish, wreckage or debris; and

WHEREAS, the Las Vegas City Council has received evidence from the Community Development Department/Code Enforcement as to the condition of a parcel of land described herein, which are owned, occupied or controlled by Donald & Davida Garcia, whose address is 928B Nicole Place, according to the records at the San Miguel County Assessor's Office and described in said records as "1612 Rosenwald Subdivision Blk 1 of the City of Las Vegas" (property code # 1-095-092-200-471).

WHEREAS, the property is a public nuisance and the premises are a menace to the public comfort, health, peace or safety of the community and is in violation of City of Las Vegas Ordinance 301 Section 6, Nuisance Declared; Littering (A); Unsanitary Premises (B); Rubbish, wreckage, weeds, and debris on the premises are visible from the public right of way in violations of City ordinances include but are not limited to branches, cement pieces, wood, weeds in excess of 4 inches, and an electric pole presenting a potential tripping hazard to pedestrians walking in the area.

WHEREAS, the City has sent 2 Official Red Tags certified mail to the property owner, Donald & Davida Garcia (Property owner as per County Assessors). The city has also posted both Official Red Tags on the property in plain view from the sidewalk.

WHEREAS, proper notices served upon certified mail and on the property included: a Red Tag Notice of Violation on April 23rd, 2015; a Notice of Pending Abatement on May 4th, 2015. In the face of these notices, the owner has allowed the nuisances to remain and continues to maintain rubbish, wreckage, weeds, and debris on the premises. Both Red Tags allowed for 10 days to correct the violations noted above.

NOW, THEREFORE, the City Council, the governing body of the City of Las Vegas, New Mexico does hereby resolve:

A. That the above described parcel of land is a nuisance pursuant to Section 3-18-5, NMSA, 1978, is a menace to the public comfort, health, peace or safety and requires abatement as follows: All rubbish, weeds, trees, dead trees, wreckage, and any other materials in violation of the Ordinance describe above shall be removed from the property and properly disposed of.

B. The City shall serve a copy of this resolution to the owner, occupant or agent, including Donald & Davida Garcia, in charge of the premises as shown by the records of the County Assessors. If the owner occupant or agent in charge of the building, structure or premises cannot be served within the municipality, a copy of the resolution shall be posted on the building, structure or premises and a copy of the resolution shall be published one time.

C. Thereafter, and within ten (10) days after receipt of a copy of this resolution or of the posting and publishing of a copy of the resolution, the owner occupant or agent, in charge of the building, structure or premises shall commence removing the ruins, rubbish, wreckage and debris or file a written objection with the Municipal Clerk asking for a hearing before the governing body of the City of Las Vegas. .

D. That if a written objection is filed, the Governing Body shall follow the provisions as set forth of 3-18-5 D. NMSA 1978; fix a date for a hearing in its resolution and objection; consider all evidence for and against the removal resolution at the hearing; and determine if its resolution should be enforced or rescinded.

E. Any person aggrieved by the determination of the governing body may appeal to the district court by: giving notice of appeal to the governing body within 5 days after the determination made by the governing body; filing a petition in the district court within twenty days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with its findings.

F. If the owner occupant or agent in charge of the building, structure or premises fails to commence removing the ruins, rubbish wreckage and debris as provided under NMSA 3-18-5 F, the municipality may remove ruins, rubbish wreckage and debris at the cost and

expense of the owner. The reasonable cost of removal shall constitute a lien against the building, structure, ruins, rubbish wreckage and debris so removed and against the lots or parcels of land from which it was removed. The lien shall be foreclosed in the manner provided in sections 3-36-1 through 3-36-6 NMSA 1978.

F. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

H. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____ 2015

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Joey Herrera	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

COUNCILOR'S REPORTS

Councilor Romero had concerns regarding the overgrown weeds on the corner of Sabinoso and Chavez Street and also on the issue of available water at the Transfer Station in the event of a fire.

Mayor Ortiz, Jr. advised that the North Loop Water Line project would take care of the issues regarding the water at the Transfer Station.

Solid Waste Director Matt Griego advised that the North Loop Water Line Project was underway and looked to be completed in September and added that they had a contingency plan in place to use a water tank, pull out trash and use dirt to suppress the fire if needed.

Councilor Herrera advised he had received some calls concerning the website and recommended that the City Website be reviewed and updated. Councilor Herrera

wanted to commend the Chief of Police and the volunteers for their work on the improvement at the Police Department.

Councilor Gurule-Giroń thanked City Manager Martinez for getting the sweeper out on the streets and asked if there were any plans to get another sweeper.

City Manager Martinez informed that it was not in the budget to purchase another sweeper this year and advised that the challenge with the sweeper is the waste collected by the sweeper is treated as solid waste and has to be transported to Wagon Mound and added that it is a financial impact to the General Fund and specifically to the Public Works Department.

Councilor Gurule-Giroń asked for confirmation regarding an EPA finding at Solid Waste Department.

City Manager Martinez informed that there was a positive EPA cite visit the day after 4th of July Fiestas, and informed that there was alot of trash was coming in and that there had been a very large rainstorm, which meant that the Solid Waste facility in Wagon Mound was not receiving the city's waste and put our facility on hold and had to close the department for half a day.

Solid Waste Director Griego added that the Environment Department conducted a routine inspection and resulted in several findings which pertained to administrative, contingency plan and the branch pile.

Griego explained that the branch pile has been an issue for several years but advised that it is a high priority and that the department is doing their best to address the issue.

Mayor Ortiz, Jr. wanted to thank the Governing Body for working together regardless of disagreements and briefly spoke of previous discussion regarding funding, difference of opinions and respecting the majority's decision.

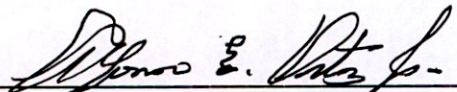
Mayor Ortiz, Jr. thanked the parties for the work they were doing and advised that at times funding is not feasible.

ADJOURN

Councilor Gurule-Giroñ made a motion to adjourn. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

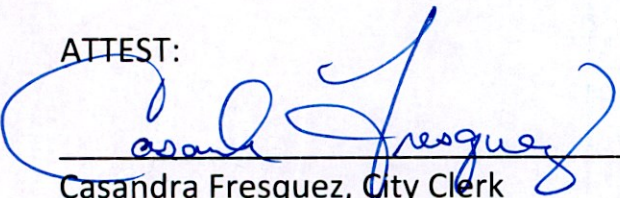
Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



Mayor Alfonso E. Ortiz, Jr.

ATTEST:



Casandra Fresquez, City Clerk